
OLR Bill Analysis

sHB 5233

AN ACT CONCERNING WORKERS' COMPENSATION FOR FIREFIGHTERS.

SUMMARY:

This bill extends workers' compensation coverage for mental or emotional impairment to a volunteer or paid uniformed municipal firefighter diagnosed with post-traumatic stress disorder (PTSD) that originates from the firefighter witnessing the death of another firefighter while engaged in the line of duty. To be eligible, the firefighter (1) must be diagnosed by a licensed and board certified mental health professional who determines the PTSD stems from witnessing the death of another firefighter and (2) is not subject to any other exclusion under workers' compensation law.

The workers' compensation benefits under the bill are limited to treatment from a practicing psychologist or psychiatrist on an approved list established by the Workers' Compensation Commission chairperson. This differs from full workers' compensation coverage in that it does not provide wage replacement benefits.

Under current law, there are only two scenarios where a mental or emotional injury is covered by workers' compensation.

EFFECTIVE DATE: Upon passage and applicable to any claim filed on or after that date.

BACKGROUND

Mental and Emotional Injuries

By law, for most employees a mental or emotional injury is compensable under workers' compensation only if it arises out of a physical injury that occurs on the job or is job-related. In these cases, the workers' compensation claim starts with the physical injury and

the employee is eligible for wage replacement and medical benefits.

By law, a police officer's mental and emotional injury that arises from a job-related incident in which the officer was subject to the attempted use of deadly force or the officer used deadly force on another person is covered under worker's compensation, but the benefit is limited to treatment by an approved psychologist or psychiatrist.

Volunteer Firefighters and Workers' Compensation

By law, a volunteer firefighter injured while performing firefighting duties is eligible for workers' compensation benefits from the town for which the firefighting services are rendered (CGS §§ 7-314a & 7-314b).

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 1 (03/06/2012)